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U.S. APPLICATION NUMBER NO. 10/576,524	FIRST NAMED APPLICANT Arthur Schwoerer	ATTY. DOCKET NO. P8331US(PCT)
INTERNATIONAL APPLICATION NO. PCT/DE04/02427		
LA. FILING DATE 11/03/2004	PRIORITY DATE 11/03/2003	

20469  
KOHLER SCHMID MOEBUS  
RUPPMANNSTRASSE 27  
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CONFIRMATION NO. 3615  
371 ACCEPTANCE LETTER

\*OC000000022733539\*

Date Mailed: 03/12/2007

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>04/20/2006</u>	<u>04/20/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE \* FILING DATE\* IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 04/20/2006 ✓
- English Translation of the IA filed on 04/20/2006 ✓
- Copy of the International Search Report filed on 04/20/2006 ✓
- Copy of IPE Report filed on 04/20/2006 ✓
- Copy of Annexes to the IPE filed on 04/20/2006 ✓
- Preliminary Amendments filed on 04/20/2006 ✓
- Information Disclosure Statements filed on 04/20/2006 ✓
- Oath or Declaration filed on 04/20/2006 ✓
- Request for Immediate Examination filed on 04/20/2006 ✓
- U.S. Basic National Fees filed on 04/20/2006 ✓
- Assignment filed on 04/20/2006 ✓

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- Specification filed on 04/20/2006 ✓
- Claims filed on 04/20/2006 ✓
- Abstracts filed on 04/20/2006 ✓
- Drawings filed on 04/20/2006 ✓

The following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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DARRELL C COTTMAN

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PART 1 - ATTORNEY/APPLICANT COPY

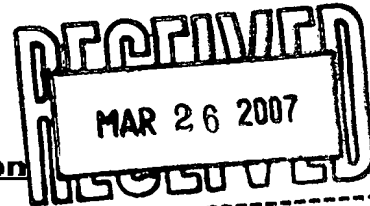
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**Certificate of Transmission**



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHWOERER, Artur	) Examiner:
Application: No.:	10/576,524	) unknown
PCT Filing Date:	November 03, 2004	) Art Unit:
For:	LOWERING DEVICE COMPRISING A	) unknown
	SUPPORT STRUCTURE	)

Atty. Docket No.: P8331US(PCT)

**TRANSMITTAL LETTER IN RESPONSE TO NOTICE  
OF ACCEPTANCE UNDER 35 USC 371**

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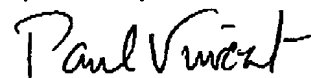
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Transmitted herewith is a request to include a translation of annexes in the USPTO file. Please also note the following crossed items:

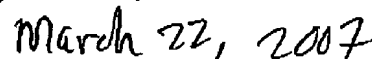
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- (x) A copy of the Notice of Acceptance is enclosed.
- ( ) An Assignment of Invention to
- ( ) Declaration enclosed.
- ( ) Two sheets formal drawings enclosed.
- ( ) Please charge Deposit Account Number 11-1447 in the amount of \$      for the late Declaration.
- ( ) The Commissioner is hereby authorized to charge payment of fees associated with this communication or credit any overpayment to Deposit Account Number 11-1447.
- ( ) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ( ) Return Postcard Receipt

Respectfully submitted



Dr. Paul Vincent  
Reg. No. 37,461



Date

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHWOERER, Artur	) Examiner:
Application: No.:	10/576,524	) unknown
PCT Filing Date:	November 03, 2004	) Art Unit:
For:	LOWERING DEVICE COMPRISING A	) unknown
	SUPPORT STRUCTURE	)

Atty. Docket No.: P8331US(PCT)

## REQUEST TO INCLUDE TRANSLATION OF ANNEXES

The Applicant received a notice of acceptance of Application under 35 USC 371 and 37 CFR 1.495 in the subject patent application. In the notice, second page thereof, the USPTO stated that the translation of the annexes was cancelled, since the translation was not submitted prior art to 30 months from the priority date. The Applicant respectfully disagrees with this assessment for the following reasons.

## STATEMENT OF FACTS

The Agent for the Applicant filed a request for nationalization of PCT application number PCT/DE2004/02427 on April 20<sup>th</sup>, 2006. The request for nationalization included a translation of the annexes to the International Preliminary Examination Report. Since the subject international application claims Paris Convention priority to DE 10 351 255.1 filed on November 3<sup>rd</sup>, 2003, the 30 month deadline for

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nationalization was May 3<sup>rd</sup>, 2006. Therefore, the annexes were timely filed and should be included in the US PTO file.

#### EVIDENCE IN SUPPORT OF THE FACTS

The Applicant hereby encloses a copy of the United States image file listing for the subject patent application indicating the location of the annex translation. The annex translation is labeled as a "claims" document and consists of two pages. A true copy of the subject two pages of the annex translation is also enclosed. Both the image file listing as well as the first page of the translation indicate receipt by the USPTO on April 20<sup>th</sup>, 2006.

#### SUMMARY AND REQUEST

This communication provides clear evidence that the annexes were filed in a timely fashion. The USPTO is therefore respectfully requested to include the annexes in the current file.

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Respectfully submitted,

Paul Vincent

Dr. Paul Vincent

Registration number 37,461

March 21, 2007

Date

**Enclosures:**

Image file listing of the US PTO;

copy of the translation of the annexes present in the image file.

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10/570,524 Lowering device comprising a support structure

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02-28-2007	Supplementary Internal Document	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2007	Fee Worksheet (PTO-66)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
02-28-2007	Claims Worksheet (PTO-7022)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Incoming IPEA/409 - Int'l Prelim Report on Patentability	PROSECUTION	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	WIPO Publication - Non-English version	PROSECUTION	30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Incoming IPEA/409 - Int'l Prelim Report on Patentability	PROSECUTION	7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Abstract	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Certified Copy of Foreign Priority Application	PROSECUTION	27	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Transmittal of New Application	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Specification	PROSECUTION	11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Claims	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Abstract	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Drawings	PROSECUTION	6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Oath or Declaration filed	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Fee Worksheet (PTO-66)	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Preliminary Amendment	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Specification	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Claims	PROSECUTION	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Claims	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Information Disclosure Statement (IDS)	PROSECUTION	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Examination Reference	PROSECUTION	10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	Examination Reference	PROSECUTION	13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
04-20-2006	NPL Documents	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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10/576524

IAP15 Rec'd PCT/PTO 20 APR 2006

True Translation of PCT/DE2004/002427 claims as amended on August 05, 2005

P8331US(PCT)

## Claims

1. Lowering device (10) of a support structure (38) consisting of at least one plate (17), wherein a locking mechanism (16) is formed on a first side of the plate (17), which can be moved into two positions, and wherein a support structure (38) can be applied to a second side of the plate (17), which is lifted relative to the stationary plate (17) in a first position of the locking mechanism (16), and is lowered relative to the stationary plate (17) in a second position of the locking mechanism (16) in response to the force of gravity, wherein the support structure (38) engages the locking mechanism (16) via bolts (12, 13) and the bolts (12, 13) can be displaced relative to the plate (17) from the first position into the second position and vice versa, characterized in that the locking mechanism (16) is formed from a first and a second latch part (19, 20) which each surround at least parts of the first free end region of a bolt (12, 13), wherein the bolts (12, 13) penetrate through elongated holes (15) in the plate (17) to permit displacement of the bolts (12, 13) relative to the plate (17), wherein the bolts (12, 13) can be fixed to the support structure (38) in the region of their second free ends.
2. Lowering device according to claim 1, characterized in that the second latch part (20) is rotatably disposed about the bolt (13) which it surrounds, and comprises a first and a second support surface (31, 36) via which the second latch part (20) is supported on a projection (18) of the plate (17) in correspondence with the respective location, wherein the respective support surfaces (31, 36)

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have different separations from the axis (35) which is formed by the bolt (13).

3. Lowering device according to claim 2, characterized in that the first latch part (19) comprises a free end (33) which partially covers an opening (28) of the plate (17) and surrounds the bolt (12) in such a manner that, upon pivoting the first latch part (19) away from the opening (28), the second latch part (20) automatically pivots into the second position under the action of the force exerted by the support structure on the locking mechanism (16).
4. Lowering device according to claims 1 through 3, characterized in that the plate (17) is mounted to one end of an elongated housing, the other end of the housing comprising a bracket (21) which has an elongated hole (14) for receiving a bolt (11) which can be stationarily fixed to the support structure (38), and is overlapped by a frame (24) which is rigidly connected to both the bracket (21) and the plate (17).
5. Lowering device according to claim 4, characterized in that receptacles (25, 26) for a support are provided on the housing, via which the housing can be fixed to the support.
6. Lowering device according to claim 4 or 5, characterized in that the housing can be mounted to the side of a truss girder (38) of a floor table.